

Remarks

Claims 1 – 3, 5 – 15, and 17 – 24 are pending. Claims 1 – 3, 5 – 15, and 17 – 24 are rejected. Claims 1, 5, 13, 17, and 25 have been amended. Claims 7 and 19 have been canceled. Claims 4 and 16 were previously canceled. Applicants respectfully traverse the rejection and request allowance of claims 1 – 3, 5, 6, 8 – 15, 17, 18, and 20 – 24. No new matter has been added.

Applicant respectfully requests that the amendments be entered as it is believed that the amendments put the claims in condition for allowance and in better condition for appeal in the event the claims are not allowed.

Claims 1, 2, 5, 7, 10, 13, 14, 17, 19, and 22 are rejected under 35 USC 103(a) as being unpatentable over Kostreski et al. (5,559,808) in view of Hemmie et al. (US 5437052). Claims 1, 5, 13, and 17 have been amended. Amended claims 1, 5, 13, and 17 require that both an omni-directional transmitting antenna and a directional receiving antenna are both at a first location. No new matter has been added. The limitation for an omni-directional transmitting antenna was in canceled claims 7 and 19. Kostreski et al. does not have an omni-directional transmitting antenna and a directional receiving antenna in the same location. Kostreski et al. has multiple receiving antennas located through out the service area that point at one of the multiple transmission sites. Kostreski et al. uses the multiple transmission sites to ensure that the receiver sites have a clear line-of-sight to at least one transmission site. The current invention uses a transmitting antenna and a receiving antenna at the same location to solve a completely different problem than Kostreski et al. Hemmie et al. does not have an omni-directional transmitting antenna and a directional receiving antenna in the same location. Therefore the amended independent claims 1, 5, 13, and 17 are allowable.

Claim 2, 3, and 6, and 8 – 12 depend on allowable claim 1 and are therefore allowable.

Claim 14, 15, 18, and 20 – 24 depend on allowable claim 13 and are therefore allowable.

Applicants submit that there are numerous additional reasons in support of patentability, but that such reasons are moot in light of the above remarks and are omitted in the interests of brevity. Applicants respectfully request allowance of claims 1 – 3, 5, 6, 8 – 15, 17, 18, and 20 – 24.


SIGNATURE OF PRACTITIONER

Steven L. Webb, Reg. No. 44,395

Setter Ollila LLC

Telephone: (303) 938-9999 ext. 22

Facsimile: (303) 938-9995

Correspondence address:**CUSTOMER NO. 28004**

Attn: Harley R. Ball

6391 Sprint Parkway

Mailstop: KSOPHT0101-Z2100

Overland Park, KS 66251-2100